

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 4040 of 1998

Between:

- 1 M/s.Vijaya Bulders, Rep. by its Managing Partner,
K.Suryaprakasa Rao, S/o.Brahmananda Rao, R/o. 54-1413,
Srinivasa Nagar Colony, Vijayawada-8.
- 2 P.Srinivasa Babu, S/o.P.Srihari Rao,
Ashoknagar Main Lane, Near Siris Company,
Vijayawada.
- 3 D.Nagendra Babu, S/o.D.Umamaheswara Rao,
R/o.29-13-12, Kaleswara Rao Road, Governorpet,
Vijayawada.
- 4 D.Ayyapa Reddy, S/o.D.Krishna Reddy,
Sitaramapuram, Jagggaihpet,
Krishna District.
- 5 Sri Sai Builders, Engineers & Contractors, Rep. by its Managin
Partner G.Venkatesh,
S/o.G.Chidambaram, D.No.70-4-1,First Floor, Lakshmi
Sadanam Apartments,
Opp:N S M Pubkic School, Patamata, Vijayawada.
- 6 G.V.S.N.Murthy, S/o.G.Chidambaram,
R/o.D.No.10-61, Poranki, Vijayawada-521 137.
- 7 R.Narsaimha Reddy, S/o.R.Narasa Reddy,
R/o.D.No.5-2-3/2, Ashok Nagar,
Vijayawada.
- 8 P.Nageswara Rao,
R/o.D.No.326-14E, Narayana Rao Road,
Prajasakti Nagar, Vijayawada-10.
- 9 K.Babu Rao,
R/o.D.No.2812-1, Bharati Nagar,
Vijayawda.
- 10 M/S.Sidhartha Construction, Rep. by its ManagingPartner
D.V.Sambasiva Rao, S/o.Venkatteswara Rao, 56-2-22,

Canara Bank Road, Patamata, Vijayawada-10.

- 11 Ch. Vijayasradhi, B.Com., LCE, S/o.Parthasaradhi,
R/o.5th Lane, Maruthinagar, Vijayawada.
- 12 K.Venkateswara Rao, S/o.Pullaiiah,
R/o.48-16-2, Nagarjuna Nagar, Vijayawada.

... PETITIONERS

AND

- 1 Superintending Engineer, R & B Circle,
Nellore.
- 2 Superintending Engineer, R & B Circle,
Eluru.
- 3 Superintending Engineer, R & B Circle,
Guntur.
- 4 Superintending Engineer,
R & B Kakinada Circle, Kakinada.
- 5 Superintending Engineer,
R & B Vidakhapatnam Circle, Visakhapatnam.
- 6 Superintending Engineer,
R & B Warangal Circle, Warangal.
- 7 Superintending Engineer,
R & B Head Quarter Circle, Hyderabad.
- 8 Superintending Engineer,
R & B Rural Circle, Hyderabad.
- 9 Superintending Engineer,
R & B Nizamabad Circle, Nizamabad.
- 10 Superintending Engineer,
R & B Karimnagar Circle, Karimnagar.
- 11 Superintending Engineer,
R & B kurnool Circle, Kurnool.
- 12 Superintending Engineer,
R.W.C., Vijayawada.
- 13 Superintending Engineer,
Panchayat Raj Circle, Guntur.
- 14 Superintending Engineer,
Panchayat Raj Circle, Khammam.
- 15 Superintending Engineer,
Panchayat Raj Circle, Warangal.
- 16 Superintending Engineer,
Panchayat Raj Circle, Eluru.
- 17 Superintending Engineer,
Panchayat Raj Circle, Kakinada.
- 18 Superintending Engineer,
Panchayat Raj Circle, Visakhapatnam.
- 19 Superintending Engineer,
Panchayat Raj Circle, Srikakulam.
- 20 Superintending Engineer,
Panchayat Raj Circle, Vijayawada.
- 21 Superintending Engineer,
Panchayat Raj Circle, Nellore.

- 22 Superintending Engineer,
Panchayat Raj Circle, Hyderabad.
- 23 Superintending Engineer,
Panchayat Raj Circle, Nalgonda.
- 24 Superintending Engineer,
Public health Circle, Rajahmundry.
- 25 Superintending Engineer,
Public health Circle, Guntur.
- 26 Superintending Engineer,
Public Health Circle, Visakhapatnam.
- 27 Superintending Engineer,
Public Health Circle, Hyderabad.
- 28 Superintending Engineer,
Public Health Circle, Nellore.
- 29 Superintending Engineer, (SW),
S.C.Corporation, Guntur.
- 30 Superintending Engineer, (SW),
S.C.Corporation, Hyderabad.
- 31 Executive Engineer,
Marketing, Guntur.
- 32 Executive Engineer, Marketing,
Vijayawada.
- 33 Superintending Engineer, TGP,
Srikalahasti, Nellore.
- 34 Superintending Engineer,
Irrigation Circle, Eluru.
- 35 Superintending Engineer,
Irrigation Circle, Vijayawada.
- 36 Superintending Engineer,
Irrigation Circle, Guntur.
- 37 Superintending Engineer,
Irrigation Circle, Dhavaleswaram.
- 38 Superintending Engineer,
Irrigation Circle, Warangal.
- 39 Superintending Engineer,
Irrigation Circle, Visakhapatnam.
- 40 Commissioner,
Vijayawada Municipal Corporation, Krishna District.
- 41 Superintending Engineer,
Vamsadhara Project, Srikakulam.
- 42 Chief Engineer,
Tirumala Tirupathi Devsathanam, Tirupathi.
- 43 Commissioner,
Visakhapatnam Municipal Corporation, Visakhapatnam.
- 44 Commissioner,
Municipal Corporation, Guntur.
- 45 Vice-Chairman/M.D.VGT,
VUDA, Vijayawada.
- 46 Vice-Chairman/M.D.VGT,
VUDA, Visakhapatnam.
- 47 Managing Director,
APSPHC Limited, Hyderabad.
- 48 Managing Director,

- APSMHIDC, Hyderabad.
- 49 Managing Director,
APSWC, Hyderabad.
- 50 Superintending Engineer,
R&B APMH & ECRP Circle, Vijayawada.
- 51 Superintending Engineer,
A.P.Housing Board, Vijayawada.
- 52 Superintending Engineer,
A.P.Housing Board, Hyderabad.
- 53 Executive Engineer,
Central Wear Housing Corporation, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents is not issuing Tender schedules on the ground of nonpayment of Earnest Money Deposit, Commercial Tax Clearance Certificate, Experience Certificate and hot Mixing plant as illegal, arbitrary and violation of fundamental rights under article 19(1) (g) and consequently direct the respondents to issue tender schedules in all tender notices without insisting earnest Money deposit, commercial Tax Clearance Certificate, Experience Certificate and Hot Mixing plant.

Counsel for the Petitioners: MRS.B.VASANTHA LAKSHMI (not present)

Counsel for the Respondents: GP FOR TRANSPORT, J. Prabhakar

The Court made the following:

ORDER:

None appears for the petitioner, no representation either.

2. It is represented by the learned Government Pleader for that the cause in the writ petition has become infructuous.

Recording the above submission made by the learned Government Pleader, the writ petition is dismissed as having become infructuous.

February 21, 2005

MRR

Copy to:

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- 53 Executive Engineer,
Central Wear Housing Corporation, Hyderabad.
- 54 Two C.C. s to the G.P. for Transport, High Court Buildings, Hyderabad (OUT)
- 55 Two C.D. Copies.

